## IN THE OFFICE OF THE SECRETARY OF STATE COMMISSIONER OF SECURITIES STATE OF GEORGIA

In the matter of	)	
BANKERS LIFE AND CASUALTY CO. and BLC FINANCIAL SERVICES, INC.,	)	DOKET NO.: ENSC-120186
Respondents	) )	
<u></u>		

## **MODIFICATION TO OCTOBER 9, 2012 CONSENT ORDER**

WHEREAS, following a multi-jurisdictional investigation, Bankers Life and Casualty Company and BLC Financial Services, Inc. ("Bankers") and the Commissioner of Securities ("Commissioner") entered a Consent Order (the "Consent Order"), which is incorporated by reference herein, on October 9, 2012 in the above-captioned matter; and

WHEREAS, Bankers Life has petitioned the Commissioner for relief from the restrictions on its activities, as set forth in paragraph 10 of the Consent Order; and

WHEREAS since entering into the Consent Order, Bankers has made substantial efforts to revise its business practices to improve compliance;

NOW THEREFORE, IT IS HEREBY ORDERED and Bankers Life expressly consents and agrees to, the modification of the Consent Order as follows:

- 1. Remove Section III, paragraph 10 in its entirety;
- 2. Replace Section III, paragraph 10 with the following provisions:
  - 10. Bankers Life shall comply with the following practices:
  - a. An insurance producer who is not licensed to give advice concerning securities products (an "Insurance Producer") may gather all financial information

necessary to complete a Bankers Factfinder or similar document or tool required to make a recommendation on an insurance product and may provide the consumer with a business card of, and pre-addressed stamped envelope to, a person properly licensed/registered to provide advice concerning securities products. With the consumer's knowledge and consent, the Insurance Producer may obtain a copy of the consumer's statement(s) for securities products as part of the insurance factfinding process and to the extent that the information is used to give the Insurance Producer reasonable grounds to believe the recommendation of an insurance product addresses the consumer's financial situation, insurance needs and financial objectives. The Insurance Producer may have general discussions concerning diversification of assets and financial objectives. The Insurance Producer shall explain that the Insurance Producer is not registered to discuss securities products and shall not use any terms or titles that tend to indicate to the consumer that the Insurance Producer is licensed to provide investment advice or sell securities. Upon the consumer's request, the Insurance Producer may arrange for the consumer to meet with a person properly registered to provide advice concerning securities products. The Insurance Producer may attend any meeting (including meetings attended by securities licensed individuals) only if the meeting is scheduled, at least in part, to discuss insurance products and only if the Insurance Producer does not provide advice or services, or engage in any other activities, that are otherwise subject to securities laws or require other professional licenses, and the Insurance Producer does not engage in any activity prohibited to insurancelicensed only individuals by law, rule, this Modification Order, or otherwise. As

used in this paragraph, "securities" refers to both specific securities products and to securities in general.

b. While gathering information for the Bankers Factfinder or similar document or tool, an Insurance Producer shall not inquire into a consumer's satisfaction with the consumer's current investments in securities or with the consumer's current broker-dealer, investment adviser, registered representative, or investment adviser representative or make comparisons between securities and non-securities products. Insurance Producers may not make recommendations or provide advice concerning the consumer's securities products, compare the consumer's securities or investment performance with other financial products including annuities or life insurance, or recommend securities be liquidated or used to find an annuity or life insurance product. Insurance Producers may not provide advice or services, sell securities or products that require registration as an investment adviser representative or broker-dealer agent, or engage in any other activities, that are otherwise subject to securities laws or require registration unless the Insurance Producer obtains appropriate registration. As used in this subparagraph, "securities" refers to both specific securities products and securities in general.

- c. Bankers shall train its Georgia licensed Insurance Producers in accordance with this Modification Order within thirty (30) days of the issuance of this Modification Order and, prospectively, within thirty (30) days of licensure for newly licensed Georgia producers.
- d. No commissions or other compensation derived from a securities transaction shall be paid to or split with an Insurance Producer.

The Consent Order shall remain in full force and effect in all other respects. This order may only be modified by a subsequent order of the Securities Commissioner.

IT IS HEREBY ORDERED on this 1 day of March , 2022.

Ryan Germany

Assistant Securities Commissioner

## CONSENT TO ENTRY OF MODIFICATION TO OCTOBER 9, 2012 CONSENT ORDER

Bankers states that no promise of any kinds or nature whatsoever that is not reflected in this Modification was made to it to induce it to enter into this Modification and that it has entered into this Modification voluntarily.

Bankers expressly acknowledges that other than the removal and replacement of Paragraph 10 of Section III of the October 9, 2012 Consent Order, the October 9, 2012 Consent Order shall remain in full force and effect.

William D. Fritts, Jr. represents that he or she has been authorized to enter into this Modification to October 9, 2012 Consent Order on behalf of Bankers Life and Casualty Company.

Banke	rs Life and Casualty Company
Ву:	
Title:	Senior Vice President
Date:	, 2022
	Subscribed and sworn to before me Thisday of,2022.
	Notary Public My Commission expires